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UNCLAS SAN JOSE 002493

SIPDIS

DEPT FOR WHA/CEN JASON MACK

E.O. 12958: N/A

TAGS: [PREL](#) [PGOV](#) [CS](#)

SUBJECT: COSTA RICA ON UNESCO CONVENTION: IT'S ALL IN THE IMPLEMENTATION

REF: A. STATE 192656

- [B](#). STATE 189519
- [C](#). STATE 184292
- [D](#). SAN JOSE 2437

#### SUMMARY

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[1](#)1. In a follow-up meeting on the UNESCO Convention on Cultural Diversity on October 21, MFA Chief of Multilateral Affairs Carlos Cordero expressed Costa Rica's receptiveness to U.S. input on implementation if and when the convention comes into effect. He acknowledged U.S. concerns over implementation and the potential abuse by repressive regimes, but indicated that the GOCR considers the likelihood of this happening too remote to worry about unduly. When asked about recent comments by a GOCR official that the convention could conflict with the U.S.-Central America-Dominican Republic Free Trade Agreement (CAFTA-DR), Cordero agreed to research the comment, but assured Poloff that as far as the MFA was concerned, CAFTA-DR will trump the convention. End Summary.

#### CULTURAL DIVERSITY: IT'S A DONE DEAL, LET'S WORK TOGETHER

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[1](#)2. Poloff met with Chief of Multilateral Affairs Carlos Cordero and his deputy, Victor Murillo, on October 21 to discuss, among other things, the UNESCO Convention on Cultural Diversity. Cordero conceded that ratification by thirty countries can be assumed, though he would not speculate on whether, or when, Costa Rica might ratify the convention. Given the likelihood of ratification and adoption, Poloff expressed the hope that the GOCR will be mindful of USG concerns during implementation of the convention. Cordero intimated that since Costa Rica itself was unlikely to be negatively impacted by the convention, there was no compelling reason to oppose it. He acknowledged USG concerns about the convention, especially in a regional context and the potential for abuse that could arise in certain Latin American countries, but implied that while certain governments could use the convention to suppress access to information, he did not see this as a likely outcome or cause for serious concern.

[1](#)3. Poloff expressed some concern over comments attributed to Costa Rica's ambassador to UNESCO, in which he indicated that the Convention on Cultural Diversity could conflict with CAFTA-DR and that adoption of the convention could necessitate renegotiation of the trade agreement. While neither of our interlocutors were aware of these comments, they indicated that they would research the matter. However, both indicated that in their estimation, CAFTA-DR would trump the UNESCO convention in the event of a conflict, and the convention implementation would have to be tailored to fit within the context of CAFTA-DR.

#### COMMENT

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[1](#)4. While Costa Rica's failure to oppose the convention was disappointing, its recognition that the convention takes a back seat to U.S.-Costa Rica trade agreements was heartening. At the very least, this can be taken as an indication that the GOCR values free trade and bilateral agreements over the vague, protectionist declarations in the UNESCO convention. Post does not anticipate that any disputes will arise in Costa Rica over the convention, and expects to receive at least tacit support from Costa Rica in the event of any regional implementation disputes.  
FRISBIE